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5
6 UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
7
8

9 STEPHEN SCHNEIDER) NO:
10)
Plaintiff,)
11 vs.)
12 GC SERVICES LIMITED PARTNERSHIP, a) JURY DEMANDED
Foreign Limited Partnership,)
13)
Defendant.)
14)

15 COMPLAINT
16 JURISDICTION
17

18 1. The jurisdiction of this Court attains pursuant to the FDCPA, 15 U.S.C. § 1692k(d),
19 28 U.S.C. § 1331, 28 U.S.C. § 1332, and the doctrine of supplemental jurisdiction. Venue lies in
20 the Southern Division of the Judicial District of Nevada as Plaintiff's claims arose from acts of the
Defendant(s) perpetrated therein.

21 PRELIMINARY STATEMENT

22 2. This action is instituted in accordance with and to remedy Defendant's violations of
23 the Federal Fair Debt Collection Practices Act, 15 U.S.C § 1692 et seq. (hereinafter "FDCPA"), and
24 of related state law obligations brought as supplemental claims hereto.

25 3. In 2007, Defendant initiated a campaign of abusive, unfair, unreasonable, and
26 unlawful debt collection activity directed against Plaintiff in Las Vegas, Nevada.

27 4. As a result of these and other violations of law, Plaintiff seeks hereby to recover actual
28 and statutory damages together with reasonable attorney's fees and costs.

PARTIES

5. Plaintiff, STEPHEN SCHNEIDER is a natural person who resides in Las Vegas, Nevada, and is a "consumer" as defined by 15 U.S.C. Section 1692a(3) and allegedly owes a "debt" as defined by 15 U.S.C. Section 1692a(5).

6. Defendant, GC Services Limited Partnership , is a foreign limited partnership. the principal purpose of whose business is the collection of debts, operating a debt collection agency from its principal place of business in Houston, Texas, and regularly collects or attempts to collect debts owed or due or asserted to be owed or due another, and is a "debt collector" as defined by 15 U.S.C. Section 1692a(6).

FACTUAL ALLEGATIONS

7. Plaintiff(s) repeat, reallege and assert all factual allegations contained in the preliminary statement to this Complaint and reassert them as incorporated in full herein.

8. Plaintiff is an *extremely* prominent Las Vegas business man.

9. Plaintiff graduated from the University of Nebraska in 1965.

10. Plaintiff neither applied for nor received a student loan of any kind.

11. Plaintiff has absolutely no connection to the debt underlying this action.

12. On December 13, 2007, Plaintiff filed a prior action against Defendant styled: *Stephen Schneider v. GC Services Limited Partnership, a foreign corporation*, Case No. 2:07-cv-01672-LRH-LRL (Exhibit A).

13. In Exhibit A Plaintiff alleged protracted harassment by Defendant.

14. In Exhibit A Plaintiff based all his claims on the fact that he neither owed nor had any connection to the debt Defendant was aggressively attempting to collect.

15. Defendant quickly and confidentially settled Plaintiff's claims and the original action was dismissed on May 9, 2008.

16. Unbelievably, Defendant again aggressively harassed Plaintiff in order to collect this same purported student loan.

1 17. On February 21, 2010, Plaintiff filed yet another action against Defendant Styled:
2 *Stephen Schneider v. GC Services Limited Partnership, a foreign Limited Partnership*, Case No.
3 2:10-cv-00245-RCJ-RJJ (Exhibit B).

4 18. Exhibit B reflects yet another harassing collection campaign involving scores of
5 collection calls *relating to the same debt which underlay Plaintiff's first action against Defendant*.

6 19. Exhibit B reflects numerous threats of lawsuits and garnishment.

7 20. Defendant confidentially settled Plaintiff's claims in this *second action* and it was
8 dismissed on October 5, 2010.

9 21. Unbelievably, Defendant has again aggressively harassed Plaintiff in order to collect
10 the *same* purported student loan.

11 22. On July 8, 2011, Plaintiff was contacted by Defendant's representative, Mitchell
12 Andrews.

13 23. Plaintiff couldn't speak with Andrews at that moment so Andrews provided Plaintiff
14 his number, 800-753-8354, Ext. 4782.

15 24. Andrews advised Plaintiff he needed to speak with him regarding Plaintiff's
16 forthcoming "wage garnishment."

17 25. Plaintiff returned Mr. Andrews' call on Wednesday, July 13, 2011.

18 26. Andrews advised Plaintiff his wages would be *garnished* in the event he did not enter
19 into a payment plan regarding his outstanding loan.

20 27. Andrews then insisted Plaintiff speak to his supervisor.

21 28. Plaintiff refused indicating he would not pay and instead hanging up.

22 29. On Thursday morning, July 14, 2011, Defendant called Plaintiff's wife, Joyce, insisting
23 that Plaintiff call.

24 30. Joyce hung up on Defendant's representative.

25 31. Defendant's collection calls and threats violated a myriad of FDCPA provisions.

26 32. Defendant's calls violated FDCPA 1692c(a)(2) which prohibits contact to a consumer
27 known to be represented by counsel. *Kulm v. Account Control Technology, Inc.*, 865 F.Supp. 1443,
28 1453 (D. Nev. 1994).

33. Defendant's attempt to collect on a invalid debt was in violation of both FDCPA §§ 1692e(2)(A) and (10) and FDCPA § 1692f. Kimber v. Federal Financial Corp., 668 F. Supp. 1480, 1487-89 (M.D. Ala. 1987).

34. Defendant's continued phone contacts to Plaintiff, at times and at a place known to be inconvenient to Plaintiff, were made in violation of FDCPA § 1692c(a)(1). Fox v. Citicorp Credit Services, Inc., 15 F.3d 1507, 1516, fn. 10 (9th Cir. 1994), Austin v. Great Lakes Collection Bureau, Inc., 834 F. Supp. 557, 559 (D. Conn. 1993).

35. The Defendant's repeated recalls to Plaintiff constituted harassment in violation of FDCPA §§ 1692d and 1692d(5). Fox v. Citicorp Credit Services, Inc., 15 F.3d 1507, 1516 (9th Cir. 1994), Bingham v. Collection Bureau, Inc., 505 F. Supp. 864, 873 (1981), Kuhn v. Account Control Technology, Inc., 865 F. Supp. 1443, 1452-53 (D. Nev. 1994).

36. The foregoing acts and omissions of Defendant were undertaken by it willfully, maliciously, and intentionally, knowingly, and/or in gross or reckless disregard of the rights of Plaintiff.

37. Indeed, the foregoing acts and omissions of Defendant were undertaken by it indiscriminately and persistently, as part of its regular and routine debt collection efforts, and without regard to or consideration of the identity or rights of Plaintiff.

38. As a proximate result of the foregoing acts and omissions of Defendant, Plaintiff has suffered actual damages and injury, including, but not limited to, stress, humiliation, mental anguish and suffering, and emotional distress, for which Plaintiff should be compensated in an amount to be proven at trial.

39. As a result of the foregoing acts and omissions of Defendant, and in order to punish Defendant for its outrageous and malicious conduct, as well as to deter it from committing similar acts in the future as part of its debt collection efforts, Plaintiff is entitled to recover punitive damages in an amount to be proven at trial.

...

...

...

CAUSES OF ACTION

COUNT I

40. The foregoing acts and omissions of Defendant constitute violations of the FDCPA, including, but not limited to, Sections 1692c, 1692d, 1692e 1692f and 1692g.

41. Plaintiff is entitled to recover statutory damages, actual damages, reasonable attorney's fees, and costs.

COUNT II

42. The foregoing acts and omissions constitute unreasonable debt collection practices in violation of the doctrine of Invasion of Privacy. *Kuhn v. Account Control Technology, Inc.*, 865 F. Supp. 1443, 1448-49 (D. Nev. 1994); *Pittman v. J. J. Mac Intyre Co. of Nevada, Inc.*, 969 F. Supp. 609, 613-14 (D. of Nev. 1997).

43. Plaintiff is entitled to recover actual damages as well as punitive damages in an amount to be proven at trial.

JURY DEMANDED

Plaintiff hereby demands trial by a jury on all issues so triable.

WHEREFORE, Plaintiff prays that this Honorable Court grant the following relief:

1. Award actual damages.
2. Award punitive damages.
3. Award statutory damages of \$1,000 pursuant to 15 U.S.C. § 1692k.
4. Award reasonable attorney fees.
5. Award costs.
6. Grant such other and further relief as it deems just and proper.

Respectfully submitted,


MITCHELL D. GLINER, ESQ.
Nevada Bar #003419
3017 W. Charleston Blvd. #95
Las Vegas, NV 89102
Attorney for Plaintiff

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5 (702) 870-8700
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7 Attorney for Plaintiff

8 UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA

10 STEPHEN SCHNEIDER,

11 Plaintiff,

12 vs.

13 No.

14 GC SERVICES LIMITED
15 PARTNERSHIP, a foreign
16 corporation,

17 Defendant.

18 JURY DEMANDED

19 LAW OFFICES
20 MITCHELL D. GLINER
21 3017 W. Charleston Blvd.
22 Suite 95
23 Las Vegas, Nevada 89102
24 (702) 870-8700

25 COMPLAINT

26 JURISDICTION

27 1. The jurisdiction of this Court attains pursuant to the
28 FDCPA, 15 U.S.C. § 1692k(d), 28 U.S.C. § 1331, 28 U.S.C. § 1332,
and the doctrine of supplemental jurisdiction. Venue lies in the
Southern Division of the Judicial District of Nevada as Plaintiff's
claims arose from acts of the Defendant(s) perpetrated therein.

PRELIMINARY STATEMENT

2. This action is instituted in accordance with and to
remedy Defendant's violations of the Federal Fair Debt Collection
Practices Act, 15 U.S.C § 1692 et seq. (hereinafter "FDCPA"), and
of related state law obligations brought as supplemental claims
hereto.

EXHIBIT A

4. As a result of these and other violations of law, Plaintiff seeks hereby to recover actual and statutory damages together with reasonable attorney's fees and costs.

5. Plaintiff, STEPHEN SCHNEIDER is a natural person who resides in Las Vegas, Nevada, and is a "consumer" as defined by 15 U.S.C. Section 1692a(3) and allegedly owes a "debt" as defined by 15 U.S.C. Section 1692a(5).

6. Defendant, GC Services Limited Partnership, is a foreign corporation, the principal purpose of whose business is the collection of debts, operating a debt collection agency from its principal place of business in Columbus, Ohio, and regularly collects or attempts to collect debts owed or due or asserted to be owed or due another, and is a "debt collector" as defined by 15 U.S.C. Section 1692a(6).

7. Plaintiff(s) repeat, reallege and assert all factual allegations contained in the preliminary statement to this Complaint and reassert them as incorporated in full herein.

8. Plaintiff is an extremely prominent Las Vegas business man.

9. Plaintiff graduated from the University of Nebraska in 1965.

1 10. Plaintiff neither applied for nor received a student loan
2 of any kind.

3 11. On Monday, September 24, 2007, Plaintiff's wife, Joyce,
4 received a call from Defendant's representative, Manny.

5 12. Manny demanded that Joyce provide Plaintiff's Social
6 Security Number.

7 13. Joyce refused and Manny hung up.

8 14. Manny's number was 866-427-4865.

9 15. Later that morning Anastasia spoke with Plaintiff also
10 demanding his Social Security Number.

11 16. Anastasia hung up when Plaintiff refused.

12 17. On October 22, 2007, Janet called Plaintiff from 866-427-
13 4865.

14 18. Janet informed Plaintiff she worked for the government
15 and was calling about Plaintiff's defaulted student loan.

16 19. Plaintiff advised Janet he did not have a student loan
17 and asked her to fax the underlying loan documents.

18 20. Janet refused and then angrily threatened Plaintiff with
19 garnishment of his and Joyce's income.

20 21. Janet also advised Plaintiff his income tax refund would
21 be confiscated.

22 22. Janet also threatened to sue Plaintiff.

23 23. On November 13, 2007, Scott called.

24 24. Scott demanded \$18,000.00 and told Plaintiff if he didn't
25 pay his tax refund would be confiscated.

26 25. On November 14 and 17, 2007, Scott called Joyce advising
27 that Defendant's collection account would be reported on
28 Plaintiff's credit profiles.

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1 26. On November 27, 2007, Scott called Joyce again.

2 27. This time instead of demanding \$18,000.00, Scott demanded
3 \$5.00 per month for 4 months.

4 28. Scott offered Plaintiff this "remedy" of rehabilitation.

5 29. Scott called back on December 3, 2007, threatening
6 garnishment.

7 30. Scott then screamed at Plaintiff so Plaintiff hung up.

8 31. On December 12, 2007, Scott called again.

9 32. This time he demanded \$28,000.00.

10 33. Plaintiff asked Scott to fax him the information.

11 34. Scott then put on his supervisor, Steve.

12 35. Steve then told Plaintiff Defendant wouldn't fax
13 Plaintiff anything.

14 36. Steve told Plaintiff this was because Plaintiff was not
15 "smart enough to read."

16 37. Defendant's attempt to collect on a invalid debt was in
17 violation of both FDCPA §§ 1692e(2)(A) and (10) and FDCPA § 1692f.
18 Kimber v. Federal Financial Corp., 668 F. Supp. 1480, 1487-89 (M.D.
19 Ala. 1987).

20 38. Defendant's continued phone contacts to Plaintiff, at
21 times and at a place known to be inconvenient to Plaintiff, were
22 made in violation of FDCPA § 1692c(a)(1). Fox v. Citicorp Credit
23 Services, Inc., 15 F.3d 1507, 1516, fn. 10 (9th Cir. 1994), Austin
24 v. Great Lakes Collection Bureau, Inc., 834 F. Supp. 557, 559 (D.
25 Conn. 1993).

26 39. The Defendant's repeated recalls to Plaintiff
27 constituted harassment in violation of FDCPA §§ 1692d and 1692d(5).
28 Fox v. Citicorp Credit Services, Inc., 15 F.3d 1507, 1516 (9th Cir.

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1 1994), Bingham v. Collection Bureau, Inc., 505 F. Supp. 864, 873
2 (1981), Kuhn v. Account Control Technology, Inc., 865 F. Supp.
3 1443, 1452-53 (D. Nev. 1994).

4 40. The foregoing acts and omissions of Defendant were
5 undertaken by it willfully, maliciously, and intentionally,
6 knowingly, and/or in gross or reckless disregard of the rights of
7 Plaintiff.

8 41. Indeed, the foregoing acts and omissions of Defendant
9 were undertaken by it indiscriminately and persistently, as part of
10 its regular and routine debt collection efforts, and without regard
11 to or consideration of the identity or rights of Plaintiff.

12 42. As a proximate result of the foregoing acts and omissions
13 of Defendant, Plaintiff has suffered actual damages and injury,
14 including, but not limited to, stress, humiliation, mental anguish
15 and suffering, and emotional distress, for which Plaintiff should
16 be compensated in an amount to be proven at trial.

17 43. As a result of the foregoing acts and omissions of
18 Defendant, and in order to punish Defendant for its outrageous and
19 malicious conduct, as well as to deter it from committing similar
20 acts in the future as part of its debt collection efforts,
21 Plaintiff is entitled to recover punitive damages in an amount to
22 be proven at trial.

23 CAUSES OF ACTION

24 COUNT I

25 44. The foregoing acts and omissions of Defendant constitute
26 violations of the FDCPA, including, but not limited to, Sections
27 1692c, 1692d, 1692e 1692f and 1692g.

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1 45. Plaintiff is entitled to recover statutory damages,
2 actual damages, reasonable attorney's fees, and costs.

3 COUNT II

4 46. The foregoing acts and omissions constitute unreasonable
5 debt collection practices in violation of the doctrine of Invasion
6 of Privacy. *Kuhn v. Account Control Technology, Inc.*, 865 F. Supp.
7 1443, 1448-49 (D. Nev. 1994); *Pittman v. J. J. Mac Intyre Co. of*
8 *Nevada, Inc.*, 969 F. Supp. 609, 613-14 (D. of Nev. 1997).

9 47. Plaintiff is entitled to recover actual damages as well
10 as punitive damages in an amount to be proven at trial.

11 JURY DEMANDED

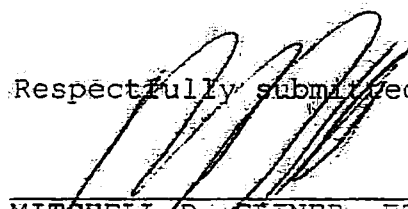
12 Plaintiff hereby demands trial by a jury on all issues so
13 triable.

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14 WHEREFORE, Plaintiff prays that this Honorable Court grant the
15 following relief:

- 16 1. Award actual damages.
17 2. Award punitive damages.
18 3. Award statutory damages of \$1,000 pursuant to 15 U.S.C.
19 § 1692k.
20 4. Award reasonable attorney fees.
21 5. Award costs.
22 6. Grant such other and further relief as it deems just and
23 proper.

24 Respectfully submitted,

25
26 
27 MITCHELL D. GLINER, ESQ.
28 Nevada Bar #003419
3017 W. Charleston Blvd. #95
Las Vegas, NV 89102
Attorney for Plaintiff

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(702) 870-0034 Fax
Attorney for Plaintiff

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

STEPHEN SCHNEIDER

Plaintiff,

vs.

GC SERVICES LIMITED PARTNERSHIP, a)
Foreign Limited Partnership,

Defendant.)

NO:

JURY DEMANDED

COMPLAINT

JURISDICTION

1. The jurisdiction of this Court attains pursuant to the FDCPA, 15 U.S.C. § 1692k(d), 28 U.S.C. § 1331, 28 U.S.C. § 1332, and the doctrine of supplemental jurisdiction. Venue lies in the Southern Division of the Judicial District of Nevada as Plaintiff's claims arose from acts of the Defendant(s) perpetrated therein.

PRELIMINARY STATEMENT

2. This action is instituted in accordance with and to remedy Defendant's violations of the Federal Fair Debt Collection Practices Act, 15 U.S.C § 1692 et seq. (hereinafter "FDCPA"), and of related state law obligations brought as supplemental claims hereto.

3. In 2007, Defendant initiated a campaign of abusive, unfair, unreasonable, and unlawful debt collection activity directed against Plaintiff in Las Vegas, Nevada.

4. As a result of these and other violations of law, Plaintiff seeks hereby to recover actual and statutory damages together with reasonable attorney's fees and costs.

EXHIBIT B

PARTIES

5. Plaintiff, STEPHEN SCHNEIDER is a natural person who resides in Las Vegas, Nevada, and is a "consumer" as defined by 15 U.S.C. Section 1692a(3) and allegedly owes a "debt" as defined by 15 U.S.C. Section 1692a(5).

6. Defendant, GC Services Limited Partnership, is a foreign limited partnership, the principal purpose of whose business is the collection of debts, operating a debt collection agency from its principal place of business in Columbus, Ohio, and regularly collects or attempts to collect debts owed or due or asserted to be owed or due another, and is a "debt collector" as defined by 15 U.S.C. Section 1692a(6).

FACTUAL ALLEGATIONS

7. Plaintiff(s) repeat, reallege and assert all factual allegations contained in the preliminary statement to this Complaint and reassert them as incorporated in full herein.

8. Plaintiff is an *extremely* prominent Las Vegas business man.

9. Plaintiff graduated from the University of Nebraska in 1965.

10. Plaintiff neither applied for nor received a student loan of any kind.

11. Plaintiff has absolutely no connection to the debt underlying this action.

12. On December 13, 2007, Plaintiff filed a prior action against Defendant styled *Stephen Schneider v. GC Services Limited Partnership, a foreign corporation*, Case No. 2:07-cv-01672-LRH-LRL (Exhibit 1).

13. In Exhibit 1 Plaintiff alleged protracted harassment by Defendant.

14. In Exhibit 1 Plaintiff based all his claims on the fact that he neither owed nor had any connection to the debt Defendant was aggressively attempting to collect.

15. Defendant quickly and confidentially settled Plaintiff's claims and the original action was dismissed on May 9, 2008.

16. Unbelievably, Defendant has again aggressively harassed Plaintiff in order to collect this same purported student loan.

17. Plaintiff has received none of the required FDCPA 1692(g) mandatory disclosures.

18. Plaintiff has only received a fax cover sheet requesting his "Employment

1 Verification." (Exhibit 2).

2 19. The calls started in late 2009 and have been made to both Plaintiff and his wife,
3 Joyce.

4 20. The scores of calls have come from William, Christina, Uriel and Steve, to name just
5 a few.

6 21. There have been numerous threats of lawsuits and garnishments.

7 22. Steve has repeatedly advised Plaintiff that he will continue calling despite Plaintiff's
8 very direct, serial instructions that neither he nor Joyce ever be further contacted.

9 23. Defendant's attempt to collect on a invalid debt was in violation of both FDCPA
10 §§ 1692e(2)(A) and (10) and FDCPA § 1692f. Kimber v. Federal Financial Corp., 668 F. Supp.
11 1480, 1487-89 (M.D. Ala. 1987).

12 24. Defendant's continued phone contacts to Plaintiff, at times and at a place known to
13 be inconvenient to Plaintiff, were made in violation of FDCPA § 1692c(a)(1). Fox v. Citicorp
14 Credit Services, Inc., 15 F.3d 1507, 1516, fn. 10 (9th Cir. 1994). Austin v. Great Lakes Collection
15 Bureau, Inc., 834 F. Supp. 557, 559 (D. Conn. 1993).

16 25. The Defendant's repeated recalls to Plaintiff constituted harassment in violation of
17 FDCPA §§ 1692d and 1692d(5). Fox v. Citicorp Credit Services, Inc., 15 F.3d 1507, 1516 (9th Cir.
18 1994). Bingham v. Collection Bureau, Inc., 505 F. Supp. 864, 873 (1981). Kuhn v. Account Control
19 Technology, Inc., 865 F. Supp. 1443, 1452-53 (D. Nev. 1994).

20 26. The foregoing acts and omissions of Defendant were undertaken by it willfully,
21 maliciously, and intentionally, knowingly, and/or in gross or reckless disregard of the rights of
22 Plaintiff.

23 27. Indeed, the foregoing acts and omissions of Defendant were undertaken by it
24 indiscriminately and persistently, as part of its regular and routine debt collection efforts, and
25 without regard to or consideration of the identity or rights of Plaintiff.

26 28. As a proximate result of the foregoing acts and omissions of Defendant, Plaintiff has
27 suffered actual damages and injury, including, but not limited to, stress, humiliation, mental anguish
28 and suffering, and emotional distress, for which Plaintiff should be compensated in an amount to

1 be proven at trial.

2 29. As a result of the foregoing acts and omissions of Defendant, and in order to punish
3 Defendant for its outrageous and malicious conduct, as well as to deter it from committing similar
4 acts in the future as part of its debt collection efforts, Plaintiff is entitled to recover punitive
5 damages in an amount to be proven at trial.

6 CAUSES OF ACTION

7 COUNT I

8 30. The foregoing acts and omissions of Defendant constitute violations of the FDCPA,
9 including, but not limited to, Sections 1692c, 1692d, 1692e 1692f and 1692g.

10 31. Plaintiff is entitled to recover statutory damages, actual damages, reasonable
11 attorney's fees, and costs.

12 COUNT II

13 32. The foregoing acts and omissions constitute unreasonable debt collection practices
14 in violation of the doctrine of Invasion of Privacy. *Kuhn v. Account Control Technology, Inc.*, 865
15 *F. Supp. 1443, 1448-49 (D. Nev. 1994)*; *Pittman v. J. J. Mac Intyre Co. of Nevada, Inc.*, 969
16 *F. Supp. 609, 613-14 (D. of Nev. 1997)*.

17 33. Plaintiff is entitled to recover actual damages as well as punitive damages in an
18 amount to be proven at trial.

19 JURY DEMANDED

20 Plaintiff hereby demands trial by a jury on all issues so triable.

21 WHEREFORE, Plaintiff prays that this Honorable Court grant the following relief:

- 22 1. Award actual damages.
23 2. Award punitive damages.
24 3. Award statutory damages of \$1,000 pursuant to 15 U.S.C. § 1692k.
25 4. Award reasonable attorney fees.

26 ///

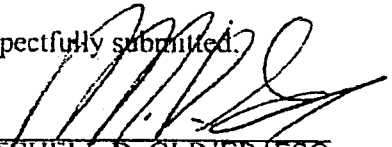
27 ///

28 ///

5. Award costs.

6. Grant such other and further relief as it deems just and proper.

Respectfully submitted,


MITCHELL D. GLINER, ESQ.
Nevada Bar #003419
3017 W. Charleston Blvd. #95
Las Vegas, NV 89102
Attorney for Plaintiff

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 3 (702) 870-0034 Fax
 4 Attorney for Plaintiff

5 UNITED STATES DISTRICT COURT
 6 DISTRICT OF NEVADA

7 STEPHEN SCHNEIDER,)

8 Plaintiff,)

9 vs.) No.

10 GC SERVICES LIMITED)
 11 PARTNERSHIP, a foreign)
 corporation,)

12 Defendant.)

13 JURY DEMANDED

14 COMPLAINT

15 JURISDICTION

16 1. The jurisdiction of this Court attains pursuant to the
 17 FDCPA, 15 U.S.C. § 1692k(d), 28 U.S.C. § 1331, 28 U.S.C. § 1332,
 18 and the doctrine of supplemental jurisdiction. Venue lies in the
 19 Southern Division of the Judicial District of Nevada as Plaintiff's
 20 claims arose from acts of the Defendant(s) perpetrated therein.

21 PRELIMINARY STATEMENT

22 2. This action is instituted in accordance with and to
 23 remedy Defendant's violations of the Federal Fair Debt Collection
 24 Practices Act, 15 U.S.C § 1692 et seq. (hereinafter "FDCPA"), and
 25 of related state law obligations brought as supplemental claims
 26 hereto.
 27
 28

EXHIBIT 1

LAW OFFICES
 MITCHELL D. GLINER
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1 3. In 2007, Defendant initiated a campaign of abusive,
2 unfair, unreasonable, and unlawful debt collection activity
3 directed against Plaintiff in Las Vegas, Nevada.

4 4. As a result of these and other violations of law,
5 Plaintiff seeks hereby to recover actual and statutory damages
6 together with reasonable attorney's fees and costs.

7
8 PARTIES

9 5. Plaintiff, STEPHEN SCHNEIDER is a natural person who
10 resides in Las Vegas, Nevada, and is a "consumer" as defined by 15
11 U.S.C. Section 1692a(3) and allegedly owes a "debt" as defined by
12 15 U.S.C. Section 1692a(5).

13 6. Defendant, GC Services Limited Partnership, is a foreign
14 corporation, the principal purpose of whose business is the
15 collection of debts, operating a debt collection agency from its
16 principal place of business in Columbus, Ohio, and regularly
17 collects or attempts to collect debts owed or due or asserted to be
18 owed or due another, and is a "debt collector" as defined by 15
19 U.S.C. Section 1692a(6).

20 FACTUAL ALLEGATIONS

21 7. Plaintiff(s) repeat, reallege and assert all factual
22 allegations contained in the preliminary statement to this
23 Complaint and reassert them as incorporated in full herein.

24 8. Plaintiff is an extremely prominent Las Vegas business
25 man.

26 9. Plaintiff graduated from the University of Nebraska in
27 1965.

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Case 2:07-cv-01672-LRH-LRL Document 1 Filed 12/13/2007 Page 3 of 6

1 10. Plaintiff neither applied for nor received a student loan
2 of any kind.

3 11. On Monday, September 24, 2007, Plaintiff's wife, Joyce,
4 received a call from Defendant's representative, Manny.

5 12. Manny demanded that Joyce provide Plaintiff's Social
6 Security Number.

7 13. Joyce refused and Manny hung up.

8 14. Manny's number was 866-427-4865.

9 15. Later that morning Anastasia spoke with Plaintiff also
10 demanding his Social Security Number.

11 16. Anastasia hung up when Plaintiff refused.

12 17. On October 22, 2007, Janet called Plaintiff from 866-427-
13 4865.

14 18. Janet informed Plaintiff she worked for the government
15 and was calling about Plaintiff's defaulted student loan.

16 19. Plaintiff advised Janet he did not have a student loan
17 and asked her to fax the underlying loan documents.

18 20. Janet refused and then angrily threatened Plaintiff with
19 garnishment of his and Joyce's income.

20 21. Janet also advised Plaintiff his income tax refund would
21 be confiscated.

22 22. Janet also threatened to sue Plaintiff.

23 23. On November 13, 2007, Scott called.

24 24. Scott demanded \$18,000.00 and told Plaintiff if he didn't
25 pay his tax refund would be confiscated.

26 25. On November 14 and 17, 2007, Scott called Joyce advising
27 that Defendant's collection account would be reported on
28 Plaintiff's credit profiles.

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1 26. On November 27, 2007, Scott called Joyce again.

2 27. This time instead of demanding \$18,000.00, Scott demanded
3 \$5.00 per month for 4 months.

4 28. Scott offered Plaintiff this "remedy" of rehabilitation.

5 29. Scott called back on December 3, 2007, threatening
6 garnishment.

7 30. Scott then screamed at Plaintiff so Plaintiff hung up.

8 31. On December 12, 2007, Scott called again.

9 32. This time he demanded \$28,000.00.

10 33. Plaintiff asked Scott to fax him the information.

11 34. Scott then put on his supervisor, Steve.

12 35. Steve then told Plaintiff Defendant wouldn't fax
13 Plaintiff anything.

14 36. Steve told Plaintiff this was because Plaintiff was not
15 "smart enough to read."

16 37. Defendant's attempt to collect on a invalid debt was in
17 violation of both FDCPA §§ 1692e(2)(A) and (10) and FDCPA § 1692f.
18 Kimber v. Federal Financial Corp., 668 F. Supp. 1480, 1487-89 (M.D.
19 Ala. 1987).

20 38. Defendant's continued phone contacts to Plaintiff, at
21 times and at a place known to be inconvenient to Plaintiff, were
22 made in violation of FDCPA § 1692c(a)(1). Fox v. Citicorp Credit
23 Services, Inc., 15 F.3d 1507, 1516, fn. 10 (9th Cir. 1994), Austin
24 v. Great Lakes Collection Bureau, Inc., 834 F. Supp. 557, 559 (D.
25 Conn. 1993).

26 39. The Defendant's repeated recalls to Plaintiff
27 constituted harassment in violation of FDCPA §§ 1692d and 1692d(5).

28 Fox v. Citicorp Credit Services, Inc., 15 F.3d 1507, 1516 (9th Cir.

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1 1994), Bingham v. Collection Bureau, Inc., 505 F. Supp. 864, 873
2 (1981), Kuhn v. Account Control Technology, Inc., 865 F. Supp.
3 1443, 1452-53 (D. Nev. 1994).

4 40. The foregoing acts and omissions of Defendant were
5 undertaken by it willfully, maliciously, and intentionally,
6 knowingly, and/or in gross or reckless disregard of the rights of
7 Plaintiff.

8 41. Indeed, the foregoing acts and omissions of Defendant
9 were undertaken by it indiscriminately and persistently, as part of
10 its regular and routine debt collection efforts, and without regard
11 to or consideration of the identity or rights of Plaintiff.

12 42. As a proximate result of the foregoing acts and omissions
13 of Defendant, Plaintiff has suffered actual damages and injury,
14 including, but not limited to, stress, humiliation, mental anguish
15 and suffering, and emotional distress, for which Plaintiff should
16 be compensated in an amount to be proven at trial.

17 43. As a result of the foregoing acts and omissions of
18 Defendant, and in order to punish Defendant for its outrageous and
19 malicious conduct, as well as to deter it from committing similar
20 acts in the future as part of its debt collection efforts,
21 Plaintiff is entitled to recover punitive damages in an amount to
22 be proven at trial.

23 CAUSES OF ACTION

24 COUNT I

25 44. The foregoing acts and omissions of Defendant constitute
26 violations of the FDCPA, including, but not limited to, Sections
27 1692c, 1692d, 1692e 1692f and 1692g.

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45. Plaintiff is entitled to recover statutory damages,
actual damages, reasonable attorney's fees, and costs.

COUNT II

46. The foregoing acts and omissions constitute unreasonable debt collection practices in violation of the doctrine of Invasion of Privacy. *Kuhn v. Account Control Technology, Inc.*, 865 F. Supp. 1443, 1448-49 (D. Nev. 1994); *Pittman v. J. J. Mac Intyre Co. of Nevada, Inc.*, 969 F. Supp. 609, 613-14 (D. of Nev. 1997).

47. Plaintiff is entitled to recover actual damages as well as punitive damages in an amount to be proven at trial.

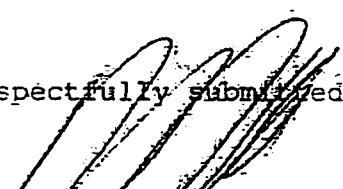
JURY DEMANDED

Plaintiff hereby demands trial by a jury on all issues so triable.

WHEREFORE, Plaintiff prays that this Honorable Court grant the following relief:

1. Award actual damages.
2. Award punitive damages.
3. Award statutory damages of \$1,000 pursuant to 15 U.S.C. § 1692k.
4. Award reasonable attorney fees.
5. Award costs.
6. Grant such other and further relief as it deems just and proper.

Respectfully submitted,


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Las Vegas, NV 89102
Attorney for Plaintiff

2000-02-05 10:07

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GC Services Limited Partnership

GC Services L.P.
 4777 Hilton Corporate Drive
 Columbus, OH 43232
 Phone: (877) 551 - 9780
 Fax: (520) 665 - 4933

To

FAX

From

Name:

Stephen PennerStephen - 3R281

Organization Name/Dept:

Date Sent:

2/3/10

Phone number:

(702) 340-1008

Reference #:

4127810

Fax number:

702-454-5514

REQUEST FOR EMPLOYMENT VERIFICATION

EMPLOYEE'S NAME:

Pauline M. Ann Baker et

SOCIAL SECURITY NUMBER:

1-566-427-4865

DATE OF HIRE:

POSITION:

EXTENSION:

HOURS WORKED PER WEEK:

CURRENT PAYROLL ADDRESS:

EMPLOYEE'S DIRECT EXTENSION
OR PHONE NUMBER:

EMPLOYEE'S HOME ADDRESS:

EMPLOYEE'S HOME PHONE:

EXHIBIT 2